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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/780,730	02/19/2004	Bart Maximus	MAXI3001/JEK	3292
23364	7590	06/13/2005	EXAMINER	
BACON & THOMAS, PLLC 625 SLATERS LANE FOURTH FLOOR ALEXANDRIA, VA 22314			KOVAL, MELISSA J	
			ART UNIT	PAPER NUMBER
			2851	

DATE MAILED: 06/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/780,730

Applicant(s)

MAXIMUS, BART

Examiner

Melissa J. Koval

Art Unit

2851

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☒ Claim(s) 7 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Objections

Claim 2 is objected to because the phrase "LCD and/or LCoS" suggest two possible embodiments. The examiner is interpreting the claims to read

- - LCD or LCoS - -.

Claims 4 and 5 are objected to because the phrase "whereby it is used", as set forth in each of the claims, is unclear. The examiner is not sure if "it" refers to the method or some other element or elements set forth in claim 1.

Claim 6 is objected to because it depends from a method claim but reads more like an apparatus claim as it does not define further method steps.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Dehmlow U.S.

Patent 6,473,240 B1.

See Figure 3 of Dehmlow '240 B1, for example.

Claim 1 sets forth: "A method for transmitting signals in a projection system, including the step of transmitting signals to two or more projection elements (See first projection optics 118 and second projection optics 128.), which projection elements are each used for projecting a plurality of colors (See first light source 110 and first liquid crystal cell 114. See second light source 120 and second liquid crystal cell 314.), with at least one of these projection elements having different polarization state for at least one of the colors projected by the respective projection element (See half wave retarder 312 associated with second projection optics 128.), wherein the signals, supplied to said projection elements for one more colors, are swapped order result in desired polarization for each of the respective colors." See column 4, lines 11 through 23.

Claim 2 sets forth: "The method according to claim 1 whereby it is applied in combination with projection consisting of LCD and/or LCOS projectors."

Claim 3 sets forth: "The method according to claim 1, wherein a signal synchronization takes place." See column 3, lines 38 through 46. The examiner interprets signal synchronization to read on the word "manipulation" found in '240 B1.

Claim 4 sets forth: "The method according to claim 1, whereby it is used combination with retarders, more particularly, retardation foils to provide in the required polarization directions for projecting the images." Again refer to half wave retarder 312.

Claim 5 sets forth: "The method according to claim 1, whereby it is used for a stereo projection." See avionics sensor/display driver 240 and column 3, lines 38 through 46. Also consider the embodiment described with respect to column 3, lines 7 through 14.

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Claim 6 sets forth: "A projection system, wherein said system comprises electronic and optical devices which apply the method according to any of the preceding claims." Please note that the functional language recited after "wherein" in the claims does not define any structure and does not further limit the claims. Apparatus claims must be structurally distinguishable from the prior art (MPEP 2114).

Allowable Subject Matter

Claim 7 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: The prior art of record neither shows nor suggests all of the elements of claim 7, in combination, and particularly:

"one signal synchronisation and colors swapping unit (1), or more of these units, in which some of the output colors are swapped, agreeing to the color or colors that have different polarization state the target LCD or LCOS projectors; and

two substantially broadband halfwave or quarterwave retarder foils (9) applied inside or outside of the two LCD^{or}_Λ LCOS projectors."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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Greenberg et al. U.S. Patent 6,886,943 B1 teaches a high-resolution projection display system.

Hamada et al. U.S. Patent 6,899,429 B2 teaches optical process unit image generation system using the same and optical process method of the same.

Larson U.S. Patent 5,564,810 teaches full color stereoscopic display with color multiplexing.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melissa J. Koval whose telephone number is (571) 272-2121. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on (571) 272-2258. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MJK

A handwritten signature in black ink, appearing to read "Melissa J. Koval", is written over the bottom right portion of the text. The signature is stylized and cursive.